

**MINUTES OF THE REGULAR MEETING OF THE MAYOR &  
COUNCIL OF THE BOROUGH OF ROCKLEIGH, HELD ON JULY 6, 2016 AT BOROUGH  
HALL, 26 ROCKLEIGH RD., ROCKLEIGH NJ AT 8 PM**

Mayor Robert Schaffer called the meeting to order at 8:04 p.m. and led the meeting with a flag salute.

**OPENING STATEMENT:**

Mayor Schaffer announced that the meeting of this date is being held in compliance with the Open Public Meetings Act of the State of New Jersey and that adequate notice of same was given in writing to *The Record*, and that notice of same was also posted on the Borough Hall bulletin board as required.

The Deputy Borough Clerk called the Roll Call of the Mayor and Council:

**Present:** Mayor Schaffer, Councilwoman Bresnak, Councilwoman Ewald, Councilman Johnsen, Councilman Pontone and Councilman Mender.

**Also Present:** Robert T. Regan, Esq., Borough Attorney; William J. McGuire, Deputy Borough Clerk and Administrator; and Gregory J. Polyniak, Borough Engineer.

**Absent:** Councilman Cumiskey, Kunjesh Trivedi, CFO and Marcella Giampiccolo, Borough Clerk.

Mayor Schaffer stated that the first order of business would be a presentation from the Borough Engineer; Gregory Polyniak of Neglia Engineering Associates to review with the residents seated in the public the options available under the NJDOT grant known as the Rockleigh Road Safety Improvement Project. Following the presentation of Mr. Polyniak, the meeting was opened to the public by Motion offered by Councilman Pontone, seconded by Councilwoman Bresnak for the purposes of the Rockleigh Road discussion only. All Councilmembers present voted in the affirmative. The Motion passed. Numerous Rockleigh residents came forward to provide their comments and suggestions towards this project. The Mayor stated the next meeting of the Governing Body will continue to put together the proposal and the town will accept written comments from any residents regarding this project. There was a consensus of the residents and the Governing Body that the improvements should include the proposals of the three (3) road widening areas; repair of the catch basin, and to install a centerline groove down the center of Rockleigh Road with recessed reflectors and without yellow striping. Motion offered by Councilman Pontone, seconded by Councilwoman Ewald to close the meeting to the public as to Rockleigh Road project. All Councilmembers present voted in the affirmative. The Motion passed.

**MINUTE APPROVAL:**

Minutes from the June 6, 2016 Regular Meeting and Closed Session Meeting were presented for approval. A Motion was offered by Councilwoman Ewald, seconded by Councilman Johnsen to accept the June 6, 2016, Regular and Closed Session Minutes as presented. All Councilmembers present voted in the affirmative, except Councilman Pontone, who abstained from the vote, to accept Regular and Closed Session Minutes as presented. The Motion passed.

**COMMITTEE REPORTS:**

No Committee reports were provided.

**OLD BUSINESS:** The Mayor commented that on June 20, 2016 a site inspection of a drainage pipe located on 24 Piermont Road was completed by the Borough Engineer, Gregory Polyniak and Code Official, Bill McGuire. At this time Gregory Polyniak, P.E., provided a synopsis of his findings to the Governing Body as stated in his report to the Mayor and Council dated June 20, 2016. Discussion followed between Mr. Polyniak and the Council regarding the catch basin located on the driveway of 24 Piermont Road and run-off onto Dr. Sawczuk's property. Discussion continued as to the original building development of Rose Haven Lane concerning water drainage and its relation to current stormwater management guidelines. Mr. Regan stated that this issue is not a Borough issue but an issue between neighboring land owners. The Governing Body authorized the Borough Engineer to make a site inspection at their June 6, 2016 meeting, which resulted in a report delivered to the Governing Body and discussed this evening. Councilwoman Bresnak continued with the discussion posing questions which were answered by the Borough Engineer, Borough Attorney and Borough Administrator. Mr. McGuire commented the pipe on the Walsh property has been on his property for the last twenty years, with only a repair made to the pipe within the last 5 years. At this time Dr. Sawczuk came forward (without motion to open to the public) to speak about his concerns of contaminants in the water run-off onto his property through this pipe coming from the Rockleigh Equestrian Centre. Mr. Regan asked Dr. Sawczuk if he has written reports containing facts about the contents of the water running through REC pipe onto his property and if those reports exist they should be submitted to the Rockleigh Board of Health. At this time a Motion was offered by Councilman Pontone, seconded by Councilwoman Ewald to open the meeting to the public as to the drainage from Walsh driveway only. All Councilmembers present voted in the affirmative. The Motion passed.

Peter Walsh, 24 Piermont Road, Rockleigh, came forward to answer Dr. Sawczuk's comments and clarify questions as to the contents within water that is passing through the pipe from his property under his driveway and dumping into the ditch behind Rose Haven Lane. Dr. Walsh stated there is zero drainage from the horse stables into any water that runs into Rose Haven Lane. He stated that no contaminated water is disseminated from this drainage pipe and confirmed the water is only rainwater. Dr. Walsh continued with his comments to the Mayor and Council, reiterating to the the Mayor and Council the negative comments made by Councilwoman Bresnak during the June 6, 2016 Mayor and Council meeting following the request made by Mrs. Feulner to the Mayor and Council that a site inspection be made by the Borough Engineer to investigate the pipe on his property. Discussion ensued following a comment from Mr. Yuelys (unidentified for the Record) regarding pre-development and post development of Rose Haven Lane and its impact on water drainage and maintenance of the ditch located behind homes on Rose Haven Lane. Mr. Polyniak provided his comments to the Mayor and Council. Mr. Regan stated this issue is a property dispute issue between one or more property owners regarding this drainage issue and each property owner is welcome to retain their own private engineer to resolve their issues. The Mayor concluded the discussion by reiterating this is not an issue for the Mayor and Council to resolve. Following Dr. Walsh's comments relating to previous remarks made during the June 6, 2016 Mayor and Council meeting, Mr. Regan advised Dr. Walsh that there was no remedy to be made by the Governing Body nor no action to be taken by the Governing Body at this time regarding his requests this evening.

A break was taken by the Governing Body.

Following the break, the meeting continued with New Business.

**NEW BUSINESS:**

Resolution 2016-42 was presented for consideration.

**MOTION:**

**SECOND:**

**BOROUGH OF ROCKLEIGH  
County of Bergen  
State of New Jersey**

**Re:** RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE COUNTY OF BERGEN FOR THE 2016-2018 SNOW PLOWING PROGRAM

**WHEREAS,** the Borough of Rockleigh is in receipt of correspondence from the County of Bergen Department of Public Works dated May 25, 2016 and an accompanying Agreement for snow plowing operations on County roads within the Borough for a period of two (2) snow seasons; and

**WHEREAS,** the Borough is a party to an Interlocal Agreement with the Borough of Northvale for Department of Public Works services, as well as for sanding, salting and snow plowing; and

**WHEREAS,** the Chief Financial Officer has certified that funds are available for such purpose, and are provided for in Roads/OE, Account No. 01-2010-26-2902-01.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Rockleigh that Mayor Robert R. Schaffer and Borough Clerk Marcella Giampiccolo be and are hereby authorized to execute the aforesaid Agreement with the County of Bergen, which execution shall be conditioned upon the Borough of Northvale entering into a similar Agreement with the County.

**Dated: July 6, 2016**

	<b>Yes</b>	<b>No</b>	<b>Absent</b>	<b>Abstain</b>
<b>Bresnak</b>				
<b>Ewald</b>				
<b>Cumiskey</b>				
<b>Johnsen</b>				
<b>Mender</b>				
<b>Pontone</b>				

I hereby certify that this is a true copy of the Resolution passed by the Governing Body at their meeting held on July 6, 2016.

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**MARCELLA GIAMPICCOLO, RMC**

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Motion offered by Councilwoman Ewald, seconded by Councilman Pontone to accept Resolution 2016-42. Discussion took place regarding insurance coverage, which is the same amount as in previous years. The contract with the Borough of Northvale is year to year and will be forthcoming. The Roll Call vote was recorded as follows:

AYES: Bresnak, Ewald, Johnsen, Mender, Pontone

NAYS: None

ABSENT: Cumiskey

ABSTAIN: None

The Motion passed.

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Resolution 2016-43 was presented for consideration.

**BOROUGH OF ROCKLEIGH**  
**COUNTY OF BERGEN**  
**STATE OF NEW JERSEY**

**RESOLUTION HONORING THE BERGEN VOLUNTEER CENTER ON ITS 50TH ANNIVERSARY**

**WHEREAS**, the Bergen Volunteer Center was founded in 1966 to meet community needs through the power of volunteers. Its direct service programs organize volunteers to provide invaluable support to some of Bergen County's most vulnerable citizens. The Mentoring Youth program has recruited, trained and supervised volunteer mentors for children who have been abused or neglected; since 1978 Mentoring Youth has provided a trusted mentor to more than 3,700 children. The Mentoring Moms program recruits, trains and supervises mentors for mothers whose children are at-risk for abuse or neglect; since 1995 more than 500 mothers have been matched with a mentor. The Chore Service provides home safety repairs for senior citizens and the disabled free of charge through the volunteer efforts of senior citizens. The Business Volunteer Council organizes corporations to help eliminate hunger and illiteracy; and

**WHEREAS**, the Bergen Volunteer Center ensures that Bergen County has a pipeline of committed, civic leaders through its training programs: Bergen LEADS for adults and Teen LEADS and Ready-Set-Serve for young people. They also strengthen the nonprofit community by maintaining a database of volunteer opportunities, providing volunteer managers' training and the Expert Exchange workshops and webinars; and

**WHEREAS**, residents of the Borough of Rockleigh have supported the Bergen Volunteer Center since 2010 in the following ways:

3 supported the Bergen Volunteer Center with their philanthropy; and

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the Borough of Rockleigh, County of Bergen, hereby honors the Bergen Volunteer Center for its 50 years of turning caring into action and knowing that the Bergen Volunteer Center is not getting old, it is just getting started.

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Motion offered by Councilman Pontone, seconded by Councilman Johnsen to approve the Resolution honoring the Bergen Volunteer Center on its 50<sup>th</sup> Anniversary. All Councilmembers present voted in the affirmative. The Motion passed.

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The request by Rockleigh resident Mrs. Deborah Refson to change her current house number of 10 Concklin Lane to 18 Concklin Lane was presented for discussion. Following the discussion of the Mayor and Council, who were advised by the Borough Administrator, that several other Rockleigh residents have requested and have changed their home house numbers for various reasons, the request by Mrs. Refson, was agreed to by the majority of the Councilmembers present as long as that there are no costs associated with the Borough and all record changing costs would be paid by the resident. If costs are not paid for by the resident, the request is denied by the Borough.

Municipal Court fines were acknowledged. The police report was provided; however, the format has changed due to a new system used by the Northvale Police and was unclear as to how to read the new report. Mr. McGuire will speak to the Chief for next month's meeting report.

**FINANCIAL BUSINESS/PAYMENT OF CLAIMS:**

The Bill List dated July 6, 2016 presented for approval. No discussion followed. A Motion was offered by Councilwoman Ewald, seconded by Councilman Johnsen to approve the Bill List dated July 6, 2016, noting the total claims and accounts amounting to \$63,817.45 is paid, and that checks be issued therefore, in accordance with established procedure, upon confirmation from the Borough Treasurer/CFO that sufficient monies are available to pay said obligations. No further discussion took place. The Roll Call vote was recorded as follows:

AYES: Bresnak, Ewald, Johnsen, Mender, Pontone

NAYS: None

ABSENT: Cumiskey

ABSTAIN: None

The Motion passed.

Mayor Schaffer announced that the Governing Body was entering into Closed Session with the Borough Engineer. Mr. Regan read aloud the following resolution into the Record:

**RESOLUTION TO ENTER INTO CLOSED SESSION**

**WHEREAS**, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, this public body is of the opinion that such circumstances presently exist; and

**WHEREAS**, the Governing Body wishes to discuss item relating to ***Borough of Rockleigh Docket No. BER-L-5761-15.***

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council that at **10:05 p.m.** on **MONDAY, July 6, 2016** the Governing Body determined to exclude members of the public to discuss the aforesaid items; and

**BE IT FURTHER RESOLVED** that the proceedings relative to the Closed Session may be made public as such time as the Governing Body determines the Borough's interests may not be adversely affected.

Motion offered by Councilman Pontone, seconded by Councilman Johnsen to approve the Closed Session. The Roll Call vote was recorded as follows:

AYES: Bresnak, Ewald, Johnsen, Mender, Pontone

NAYS: None

ABSENT: Cumiskey

ABSTAIN: None

The Motion passed.

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Upon returning to the Regular Session of the meeting, the Mayor briefly discussed the correspondence on the agenda regarding the NJLM Conference in November, 2016, and requested any Councilmember interested in attending the Conference should advise the office by next month.

No further business came before the Governing Body. Motion offered by Councilman Pontone, seconded by Councilwoman Ewald to adjourn the meeting. All Councilmembers present voted in the affirmative and the meeting was adjourned. The Motion passed.

Respectfully submitted,

William J. McGuire,  
Deputy Borough Clerk  
Borough Administrator